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November 4, 2013

**VIA OVERNIGHT DELIVERY**

Chief Clerk/Administrator  
SC Public Service Commission  
101 Executive Center Dr., Ste. 100  
Columbia, SC 29210  
(803) 896-5100

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SC PUBLIC SERVICE  
COMMISSION  
NOV 11 2013

Re: **NEW HORIZONS COMMUNICATIONS CORP.**  
Docket No. 2013-365-C

Dear Sir/Madam:

Enclosed please find for filing an original and one (1) copy New Horizons Communications Corp.'s pre-filed direct testimony.

I have enclosed an extra copy of this letter to be date-stamped and returned to me in the self-addressed, postage prepaid envelope I have provided.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,



Lance J.M. Steinhart  
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Attorneys for New Horizons Communications Corp

Enclosure  
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**BEFORE THE  
PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA**

**DOCKET NO. 2013-365-C - ORDER NO. 2013-\_\_\_\_\_**

**In re:**

**Application of  
New Horizons Communications Corp.**

**For a Certificate of Public  
Convenience and Necessity to  
Provide Interexchange and  
Local Exchange  
Telecommunications Services and  
for local service offerings to be regulated  
in accordance with procedures authorized  
for NewSouth Communications in Order  
No. 98-165 in docket No. 97-467-C; and  
For interexchange service offerings to be  
regulated in accordance with procedures  
established for alternative regulation in  
Order Nos. 95-1734 and 96-55 in  
Docket No. 95-661-C**

**DIRECT TESTIMONY  
OF GLEN NELSON**

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I. Introduction

1     **1.     Q.     Please state your name and business address.**

2             **A.     My name is Glen Nelson. My business address is 420 Bedford Street, Ste. 250,**  
3             **Lexington, Massachusetts 02420.**

4     **2.     Q.     By whom are you employed and in what capacity?**

5             **A.     I am the Vice President of New Horizons Communications Corp. ("New Horizons"**  
6             **or the "Applicant").**

7     **3.     Q.     Please give a brief description of your background and experience in business**  
8             **and telecommunications.**

1 A. Please see Exhibit D to New Horizons' Application for a Certificate of Public  
2 Convenience and Necessity to Provide Interexchange and Local Exchange  
3 Telecommunications Services and for Flexible and Alternative Regulations (Docket  
4 No. 2013-365-C) ("Application").

5 4. **Q. What is the purpose of your testimony?**

6 A. The purpose of my testimony is to describe the nature of New Horizons' proposed  
7 service offering within the State of South Carolina, and to demonstrate its financial,  
8 managerial, and technical ability to provide the telecommunications services for  
9 which authority is sought herein.

10 5. **Q. Do you wish to incorporate by reference any documents into your testimony?**

11 A. Yes. I wish to incorporate by reference the underlying Application filed in this  
12 proceeding and its associated attachments.

13 II. The Business of New Horizons

14 6. **Q. Has New Horizons registered to do business in South Carolina?**

15 A. Yes. New Horizons is a Delaware Corporation that has received authorization to  
16 transact business within the State of South Carolina. A copy of New Horizons'  
17 Certificate of Incorporation is attached to the Application as Exhibit A and a copy of  
18 the document of authorization from the State of South Carolina is attached to the  
19 Application as Exhibit B.

20 7. **Q. Please describe the services New Horizons intends to provide within the State  
21 of South Carolina.**

22 A. New Horizons may offer a full array of services to both business and residential  
23 customers, including the following:  
24

Interexchange (switched and dedicated services):

- A. 1+ and 101XXXX outbound dialing;
- B. 800/888 toll-free inbound dialing;
- C. Data Services

Local Exchange:

- A. Local Exchange Services that will enable customers to originate and terminate local calls in the local calling area served by other LECs.
- B. Switched local exchange services, including basic service, trunks, carrier access, and any other switched local services that currently exist or will exist in the future.
- C. Non-switched local services (e.g., private line) that currently exist or will exist in the future.
- D. Centrex and/or Centrex-like services that currently exist or will exist in the future.
- E. Digital subscriber line, ISDN, and other high capacity services.

New Horizons will provide local and long distance services. New Horizons will provide local service though the use of use unbundled network elements utilizing the facilities of the existing LECs or underlying carriers that presently serve South Carolina.

Applicant seeks authority to resell and provide through its own or leased facilities local exchange services throughout the State primarily in the areas served by AT&T. Applicant's local calling areas will coincide with the incumbent local exchange carrier's local calling areas. Upon its entry into the South Carolina market, Applicant may install equipment for the provision of local exchange services. Applicant will use the following or a similar configuration of equipment:

Applicant will provide voice and high speed data services through a combination of the latest technology switching and transport media. The switching system will consist of a central processing and control complex capable of interconnection as a peer to the incumbent as well as competitive local exchange companies. The hub portion of the switch will interconnect with the public switched network on

1           Signaling System 7 ("SS7") or Feature Group D ("FGD") facilities. The system's  
2           remote module capability will allow properties to be served in a manner that  
3           provides the exchange of appropriate signaling, control and calling/caller  
4           information to the network in accordance with network standards and  
5           specifications. Additionally, these services may be delivered over a combination  
6           of delivery mechanisms through incumbent local carriers' unbundled loop  
7           network, both copper and fiber and transport networks, as well as via Applicant  
8           constructed facilities. Applicant's services will be available on a full-time basis,  
9           twenty-four hours a day, seven days a week, to customers within the geographic  
10          boundaries of the State of South Carolina. Customers will be billed by Applicant.  
11          Applicant is committed to providing access to a local operator, directory  
12          assistance, 911 services, and dual relay services. Applicant is also willing to  
13          accept its obligations to collect 911 and dual relay service surcharges from its  
14          local exchange customers, and to remit those funds to the appropriate authorities.

15    8.    **Q.    What carrier will New Horizons utilize as its underlying carrier for services in**  
16           **South Carolina?**

17           A.    Applicant is currently negotiating an interconnection agreement with AT&T  
18           South Carolina ("AT&T") to provide local service. Applicant intends to utilize  
19           Verizon, Windstream and Earthlink, and other equivalent providers as its  
20           underlying interexchange carriers.

1     9.     **Q.     Does New Horizons have authorization to provide intrastate**  
2           **telecommunications services in any other state?**

3           A.     Yes.     Applicant is currently authorized to provide local exchange and  
4           interexchange services in Alabama, Arkansas, California, Colorado, Connecticut,  
5           Washington D.C., Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa,  
6           Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana,  
7           Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina,  
8           North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Vermont,  
9           Virginia, Washington, West Virginia, Wisconsin and Wyoming. Applicant is  
10          authorized to provide only interexchange services in Kansas, Louisiana,  
11          Minnesota, Mississippi, Oklahoma, South Dakota and Utah.

12    11.    **Q.     Has New Horizons ever filed an application with the South Carolina Public**  
13           **Service Commission?**

14          A.     Yes, New Horizons filed an Application for Authority to Operate as a Reseller of  
15          Interexchange Telecommunications Services with the State of South Carolina and  
16          for Alternative Regulation on January 25, 2007 (Docket No. 2007-20-C) ("2007  
17          Application"). Scott Elliott, Esq. and Lance J.M. Steinhart, Esq. appeared as  
18          counsel for New Horizons. The Commission's Docketing Department instructed  
19          New Horizons to publish, one time, a Notice of Filing in newspapers of general  
20          circulation. New Horizons complied with this instruction and provided the  
21          Commission with proof of publication of the Notice of Filing. No Petitions to  
22          Intervene or Protests were filed. New Horizons and the Office of Regulatory Staff  
23          ("ORS") filed a Settlement Agreement on April 26, 2007. A hearing was convened  
24          on April 30, 2007. Glen Nelson, Vice President of Marketing and Business  
25          Development for New Horizons testified in support of the 2007 Application. The

1 Commission concluded that New Horizons lacked the financial capability to provide  
2 the interexchange services that it proposed to offer in South Carolina.

3 New Horizons consistently provides quality service in 45 states and has been  
4 growing since its inception 11 years ago. In support of New Horizons' financial  
5 ability to provide the services sought herein, copies of New Horizons' audited  
6 financial statements for the years ended December 31, 2011 and December 31,  
7 2012, were submitted as Exhibit C to its Application.

8 The bankruptcy of CTC Communications Corp. ("CTC") was cause for  
9 concern in New Horizon's 2007 Application. Mr. Robert Fabbriatore, Mr.  
10 Stephen Gibbs, and Mr. Glen Nelson held key management positions with CTC  
11 until 2002. CTC filed for bankruptcy in 2003. Mr. Fabbriatore, Mr. Gibbs, and  
12 Mr. Nelson were not employed by CTC at the time of bankruptcy. Mr. Nelson  
13 was not a part of CTC at the time of bankruptcy therefore he was not informed or  
14 involved in the matter. Mr. Nelson was not prepared to give testimony regarding  
15 CTC's bankruptcy case. CTC's case was resolved on September 28, 2008. A suit  
16 was also filed against Mr. Fabbriatore by the bankruptcy trustee in CTC's case;  
17 however, on September 17, 2008 the judge dismissed with prejudice the  
18 bankruptcy trustee's case against Mr. Fabbriatore.

19 12. **Q. Does New Horizons intend to file a tariff with the Commission?**

20 A. Yes. New Horizons filed an initial interexchange tariff as Exhibit F to its  
21 Application and an initial local price list as Exhibit E to its Application in this  
22 proceeding; New Horizons will modify the tariff and price list as necessary in order  
23 to meet the Commission's requirements. We believe New Horizons' tariff and price  
24 list will comport with all Orders, Rules, and Regulations of the Commission.  
25

1 13. **Q. Will New Horizons comply with the Commission's orders regarding the**  
2 **provision of interexchange and local services?**

3 A. Yes. New Horizons will at all times provide and market services in accordance with  
4 current Commission policies. In particular, New Horizons is familiar with  
5 Commission Order No. 93-462 regarding resale of intraLATA telecommunications  
6 services and will attempt to comply with the terms of that order in every respect  
7 possible. In addition, New Horizons at all times will provide interstate services in  
8 compliance with all FCC rules and regulations.

9 14. **Q. Has New Horizons provided any intrastate telecommunications services within**  
10 **the State of South Carolina?**

11 A. No, New Horizons has not provided any intrastate telecommunications services  
12 within the State of South Carolina.

13 15. **Q. What rates will New Horizons charge upon receipt of certification?**

14 A. New Horizons will charge the tariffed rates approved by the Commission.

15 16. **Q. How will New Horizons market services in South Carolina?**

16 A. New Horizons intends to market its services via direct sales by New Horizons'  
17 employees.

18 **III. Managerial, Technical and Financial Qualifications**

19 17. **Q. Does New Horizons have sufficient managerial, technical, and financial**  
20 **resources and ability to provide the telecommunications services proposed in**  
21 **its Application?**

22 A. Yes. New Horizons has sufficient technical, financial, and managerial resources and  
23 ability to provide the telecommunications services for which authority is sought  
24 herein. New Horizons' personnel represent a broad spectrum of business and  
25 technical disciplines, possessing many years of individual and aggregate



1 telecommunications experience.

2 The qualifications and experience of New Horizons' key management team  
3 are discussed in Exhibit D attached to the Application in support of Applicant's  
4 managerial and technical ability to provide the services for which authority is sought  
5 herein.

6 **18. Q. How does New Horizons handle customer service requests?**

7 A. New Horizons' customer service representatives are available to assist customers  
8 and will promptly respond to all customer inquiries. Customers may call (800)  
9 520-5812 and (866) 241-9423 (for repair) or a local number. The applicable toll  
10 free or local numbers will be printed on customers' monthly billing statements.  
11 Alternately, customers wishing to communicate with a New Horizons customer  
12 service representative in writing may send written correspondence to New  
13 Horizons at:

14  
15 New Horizons Communications Corp.  
16 ATTN: Customer Service  
17 420 Bedford Street, Ste. 250  
18 Lexington, Massachusetts 02420

19 New Horizons's customer service representatives are prepared to respond to a  
20 broad range of service matters, including inquiries regarding: (1) the types of  
21 services offered by New Horizons and the rates associated with such services; (2)  
22 monthly billing statements; (3) problems or concerns pertaining to a customer's  
23 current service; and (4) general service matters.

IV. Public Interest

20. **Q. How will residents of South Carolina benefit from New Horizons' services and presence in South Carolina?**

A. The Commission's grant of this certificate is in the public interest because consumers of telecommunications services within New Horizons' service territory will receive increased choice, improved quality of service, and heightened opportunities to obtain improved technology in the homes and businesses. Market incentives for new and old telecommunications providers in South Carolina will be improved greatly through an increase in the diversity of suppliers and competition within the local exchange telecommunications market. Consistent with the Commission's intent to aid in the development of a competitive telecommunications environment in South Carolina, the granting of a certificate of authority to provide local exchange service will offer increased efficiency to the State's telecommunications infrastructure through greater reliability of services and an increase in competitive choices.

21. **Q. Has the Company ever been the subject of an investigation by any state Regulatory body or by the FCC?**

A. No.

22. **Q. Will the Company agree to abide by and comply with the Commission's Rules and Regulations and Commission Orders in its operations in South Carolina?**

A. Yes.

23. **Q. Does this conclude your testimony?**

A. Yes. I would like to thank the Commission for this opportunity to provide information relevant to New Horizons' Application and am ready to provide any additional information that the Commission may need in making its decision.